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In re Application of
TIPSMARK et al.
Application No.: 10/581,530
PCT No.: PCT/DK04/00838
Int. Filing Date: 02 December 2004
Priority Date: 05 December 2003
Attorney Docket No.: 66772-092-7
For: COMMUNICATION DEVICE WITH
STRUCTURAL PART

DECISION ON
DECLARATION

This is a decision on applicant's communication filed on 20 March 2007 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 02 December 2004, applicant filed international application PCT/DK04/00838 which claimed a priority date of 05 December 2003.

On 2 June 2006, within the thirty month period, applicant filed a Transmittal Letter requesting entry into the national stage in the United States of America under 35 U.S.C. § 371 with, *inter alia*, the requisite basic national fee. On 5 July 2006, applicant filed a Combined Declaration and Power of Attorney executed by the named joint inventors and by **Jens Lundby** (who was not identified in the published International application).

On 13 February 2007, a decision was mailed to applicant indicating that the declaration erroneously identified Jens Lundby as a co-inventor with the named inventors and thus was not in compliance with 37 CFR 1.497(a) and (b), since there was no indication that Jens Lundby was accepted by the International Bureau under PCT Rule 92*bis* as a co-inventor.

On 20 March 2007, applicant submitted a communication accompanied by a Notification of the Recording of A Change (Form PCT/IB/306) issued by the International Bureau on 07 March 2007 adding Jens Lundby as an applicant/inventor under PCT Rule 92*bis*.

DISCUSSION

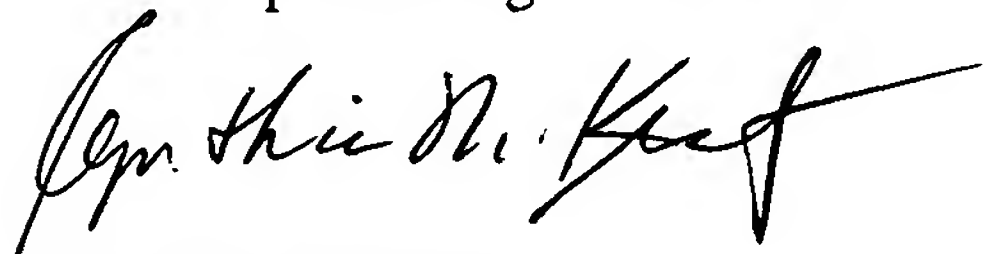
A review of the published international application PCT/DK04/00838 reveals that Claus Tipsmark and Klaus L. Svendsen are the named inventors. Applicant has now provided an Notification of the Recording of A Change (Form PCT/IB/306) issued by the International Bureau adding Jens Lundby as an applicant/inventor for the U.S. only under PCT Rule 92*bis*.

The declaration submitted on 05 July 2006 is in compliance with 37 CFR 1.497(a) and (b) and acceptable.

CONCLUSION

With the submission of the Notification of the Recording of A Change (Form PCT/IB/306), the declaration executed by Jens Lundby as a joint inventor in the above referenced application is acceptable and in compliance with 37 CFR 1.497(a) and (b).

The application will be forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1),(c)(2) and (c)(4) date is 05 July 2006.



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